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Message:

Please forward this submission to
Examiner Sara Clark
Art Unit 3749

Thank you very much

DEC 23 2004

In re Application of :Patent Application (Patents/patent7/resp5)
WILLIAM H. VELKE :FUEL DENSITY REDUCTION METHOD
:AND DEVICE TO IMPROVE THE RATIO
:OF OXYGEN MASS VERSUS FUEL MASS
:DURING IGNITION IN COMBUSTION
:MECHANISMS OPERATING WITH FLUID
:HYDROCARBON FUELS
Application No.: 10/614,004 :pending
Art Unit: 3749 :Examiner Sara Clark

RESPONSE TO OFFICE ACTION – CONFIRMATION No: 6276

Re: Action dated 12/13/04

VIA FAX: 703 – 872-9306

December 23, 2004

Campbellville, Ontario, Canada

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant has received a "Notice of Non-Compliant Amendment (37 CFR 1.121)" dated December 13, 2004. The Examiner has issued such notice based on Applicant's amendment document filed on October 14, 2004.

It is obvious that the Examiner has not considered Applicant's subsequent amendment document filed October 18, 2004, which submission addressed the various cited rejections. Applicant herewith re-submits such documentation.

Signed December 23, 2004,



Applicant William H. Velke

Attachment: Document dated 11.18.04

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DEC 23 2004

In re Application of
(Patents/patent7/resp4 patent7)

:PATENT APPLICATION

WILLIAM H. VELKE

:FUEL DENSITY REDUCTION METHOD
:AND DEVICE TO IMPROVE THE RATIO
:OF OXYGEN MASS VERSUS FUEL MASS
:DURING IGNITION IN COMBUSTION
:MECHANISMS OPERATING WITH FLUID
:HYDROCARBON FUELS

Application No.: 10/614,004

Art Unit: 3749

:

pending

:

RESPONSE TO OFFICE ACTION – CONFIRMATION No: 6276

Re: Election / Restrictions, Detailed Action dated 10/06/04

VIA FAX: 703 – 872-9306

October 18, 2004

Campbellville, Ontario, Canada

Hon. Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

Applicant is advised that the Examiner did not accept the provisional election made in his response dated July 21, 2004. Such response included certain errors made by Applicant, and it is therefore considered non-responsive.

Applicant herewith provides a new response in accordance with the stated requirements.

The Examiner informed Applicant that the term (New Claim) is not acceptable when indicating a new Claim in a Claim Amendment, but that only the term (New) is acceptable. Applicant will make the necessary alterations, especially in view of the

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DEC 23 2004

APPLICATION NO: 10/614,004

-2-

Art Unit: 3749

fact that Applicant already provided further amendments of the Claims via fax transmission on October 14, 2004, which also identified each listed new Claim as (New Claim) rather than just as (New), which may therefore also be non-responsive.

Applicant will now make the by the Examiner requested selection under the following established guideline. It is assumed that the Examiner is aware of the present Application being a Divisional of Parent Application 10/293,357, issued as Patent 6,736,118

During the process of examination of such Parent Application 10/293,357, the Examiner requested an election under the following provisions:

Election/Restriction

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 8 – 11 and 22 – 25, drawn to various types of heaters, classified in class 431, subclass***,*
- II. Claims 12 and 26, drawn to a single or dual cycle power generator, classified in class 310, subclass 113+,*
- III. Claims 13 and 27, drawn to a gas turbine engine, classified in class 60, subclass 204+,*
- IV. Claims 14 and 28, drawn to an internal combustion engine, classified in class 123, subclass 550.*

The inventions are distinct, each from the other because of the following reasons:

Inventions I, II, III and IV are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions or different effects (MPEP paragraph 806.04 and MPEP paragraph 808.01)

APPLICATION NO: 10/614,004

-3-

Art Unit: 3749

The Claims identified under Invention I in Parent Parent Application 10/293,357 are Claims 8 to 11 and 22 to 25 for various types of heaters, all classified in class 431.

The referred to Claims read as follows:

8. A method according to Claim 1, wherein the mechanism is a space heater.
9. A method according to Claim 1, wherein the mechanism is a water heater.
10. A method according to Claim 1, wherein the mechanism is a process heater.
11. A method according to Claim 1, wherein the mechanism is a furnace.
22. A device according to Claim 15, wherein the mechanism is a space heater.
23. A device according to Claim 15, wherein the mechanism is a water heater.
24. A device according to Claim 15, wherein the mechanism is a process heater.
25. A device according to Claim 15, wherein the mechanism is a furnace.

Applicant will follow such instructions and select the grouping of Claims for this Divisional accordingly. Applicant assumes thereby to be complying with the requirement under 35 U.S.C. 121 as already detailed in Office Action 6725, Parent Application 10/293,357, dated 07/17/2003, Examiner M. J. McMahon, Art Unit 3747, and subsequent issuance of the related Patent.

It is obvious to Applicant that the Parent Application Case has a bearing on the examination of this Divisional.

If the Examiner does not agree with Applicant's method of election, Applicant would very much appreciate the Examiner giving a detailed explanation for why the requirements for 35U.S.C. 121 may have changed from the time of examination of the Parent Application 10/293,357 to the time of examination of this Divisional Application 10/614,004.

Applicant's election is represented in the Amended Claims attached herewith, referred to as (New) Claims, as required.

APPLICATION NO: 10/614,004

-4-

Art Unit: 3749

Applicant has included the method and device for space heaters and water heaters in single Claims 69 and 82, detailing a combustion mechanism which converts an oxidation mixture of fuel and air into high temperature high velocity combustion products to operate a related fluid heat transfer system.

If the Examiner does not agree with such combination, Applicant is prepared to maintain the individual Claims for each of such combustion mechanisms in accordance with the election under Invention I, as detailed in the office action of the Parent Application and classified as Class 431.

Applicant is of the opinion to have herewith responded as required, and the Examiner is now able to move this Application to allowance.

Signed this 18th day of October, 2004,



William H. Velke

Applicant

Attachment: Amended Claims